



PATENT
Atty. Docket No. RNS-001 (7400/4)

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Spann
SERIAL NUMBER: 09/757,255 ART UNIT: 3634
FILING DATE: January 9, 2001 EXAMINER: J. Novosad
TITLE: Tool Holder

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO SPECIES ELECTION REQUIREMENT

This paper is responsive to the Office Action mailed from the Patent Office on January 24, 2002, for which the shortened statutory period of response is set to expire one month thereafter on February 24, 2002.

The Office Action indicates that there are seven patentably distinct species depicted in the figures and that claims 1 and 16-20 are deemed to be generic. A summary of the species follows:

1. FIGS. 1, 2, and 3A;
2. FIG. 3B;
3. FIG. 4;
4. FIG. 5;
5. FIGS. 6 and 7;
6. FIGS. 8A and 8B; and
7. FIGS. 9A and 9B.

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Applicant hereby elects species 1, as represented by FIGS. 1, 2, and 3A.

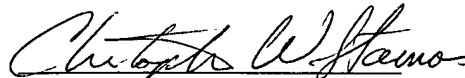
Applicant submits that at least claims 1-7 and 16-20 are readable on FIGS. 1, 2, and 3A.

CONCLUSION

Applicant requests entry of this response and allowance of claims 1-7 and 16-20, as well as claims 8-15, which depend from claim 1, in due course. The Examiner is invited to telephone the undersigned attorney to discuss any outstanding issues.

Respectfully submitted,

Date: February 14, 2002

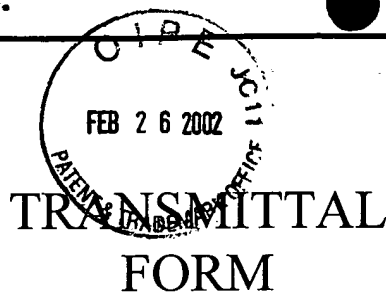


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|---------------------------|-----------------|
| Application Serial Number | 09/757,255 |
| Filing Date | January 9, 2001 |
| First Named Inventor | Spann |
| Group Art Unit | 3634 |
| Examiner Name | J. Novosad |
| Attorney Docket No. | RNS-001 |
| Patent No. | Not applicable |
| Issue Date | Not applicable |

ENCLOSURES (check all that apply)

| | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Response to Species Election Requirement <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) <input type="checkbox"/> Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below) <div style="text-align: center; margin-top: 20px;"> <p>RECEIVED</p> <p>MAR 04 2002</p> <p>GROUP 3600</p> </div> |
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SIGNATURE BLOCK

Respectfully submitted,

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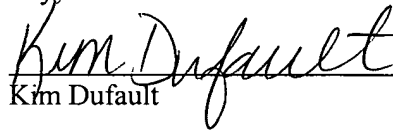
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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Box Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231 on this 14th day of February, 2002.


Kim Dufault

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 page);
Response to Species Election Requirement (2 pages); and
a return receipt postcard.

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